

Honorable Leif B. Erickson  
Federal Magistrate Judge  
Missoula Division  
Russell E. Smith Courthouse  
201 East Broadway, Room 370  
Missoula, MT 59802

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION**

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DOUGLAS ALLARD,

Plaintiff,

vs.

DEBRA JEAN WESTERMAN,  
UNITED STATES DEPARTMENT  
OF THE INTERIOR - BUREAU OF  
INDIAN AFFAIRS, and ALL OTHER  
INTERESTED PARTIES, KNOWN OR UNKNOWN,

Defendants.

CAUSE NO. CV 06-39-M-LBE

FINDINGS & RECOMMENDATION  
OF UNITED STATES  
MAGISTRATE JUDGE

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On April 11, 2006, this Court ordered that Defendant Westerman's Motion to Dismiss be held in abeyance for a period of 10 days pending her compliance with L.R. 7.1(j). As of the date of this Order, Westerman has not yet certified to the Court that she has complied with the rule. Accordingly,

**IT IS RECOMMENDED** that Defendant Westerman's Motion to Dismiss be **DENIED without prejudice**.

**NOW, THEREFORE, IT IS ORDERED** that the Clerk shall serve a copy of the Findings and Recommendation of the United States Magistrate Judge upon the parties. The parties are advised that pursuant to 28 U.S.C. § 636, any objections to these findings

must be filed with the Clerk of Court and copies served on opposing counsel within ten (10) days after receipt hereof, or objection is waived.

DATED this 1st day of May, 2006.

/s/ Leif B. Erickson  
Leif B. Erickson  
United States Magistrate Judge